

REFERENCE TITLE: voter registration list; fee

State of Arizona
House of Representatives
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HB 2530

Introduced by
Representatives Gallardo, Downing, Sinema: Garcia M, Lopes, Lopez L,
Lujan, Meza, Prezelski

AN ACT

AMENDING SECTION 16-168, ARIZONA REVISED STATUTES; RELATING TO REGISTRATION ROLLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 16-168, Arizona Revised Statutes, is amended to
3 read:

4 16-168. Precinct registers; date of preparation; contents;
5 copies; reports; statewide database; violation;
6 classification

7 A. By the tenth day preceding the primary and general elections the
8 county recorder shall prepare from the original registration forms or from
9 electronic media at least four lists that are printed or typed on paper of
10 all qualified electors in each precinct in the county, and the lists shall be
11 the official precinct registers.

12 B. The official precinct registers for use at the polling place shall
13 contain at least the names in full, party preference, date of registration
14 and residence address of each qualified elector in the respective
15 precincts. The names shall be in alphabetical order and, in a column to the
16 left of the names, shall be numbered consecutively beginning with number 1 in
17 each precinct register.

18 C. For the purposes of transmitting voter registration information as
19 prescribed by this subsection, electronic media in counties with a population
20 over five hundred thousand PERSONS in the last decennial census shall be the
21 principal media. A county or state chairman who is eligible to receive
22 copies of precinct lists as prescribed by this subsection may request that
23 the recorder provide a paper copy of the precinct lists. The county
24 recorder, in addition to preparing the official precinct lists, shall provide
25 a means for mechanically or electronically reproducing the precinct lists and
26 unless otherwise agreed shall deliver within eight days after the close of
27 registration for the primary and general elections, without charge, on the
28 same day one electronic media copy of each precinct list within the county to
29 the county chairman and one electronic media copy to the state chairman of
30 each party that has at least four candidates other than presidential electors
31 appearing ~~upon~~ ON the ballot in that county at the current election. The
32 county recorder shall also deliver, ~~upon~~ ON request and without charge, one
33 electronic media copy of the precinct list to the Arizona legislative
34 council. The county recorder of a county with a population of five hundred
35 thousand or fewer persons, on the same day precinct lists are delivered to
36 county chairmen, shall deliver one electronic media copy of each precinct
37 list within the county to the state chairman of each party that has at least
38 four candidates other than presidential electors appearing on the ballot in
39 this state at the current election. The copies of the precinct lists shall
40 be electronic media ~~which~~ AND shall include for each elector the following
41 information:

- 42 1. Name in full and appropriate title.
43 2. Party preference.
44 3. Date of registration.
45 4. Residence address.

- 1 5. Mailing address, if different from residence address.
- 2 6. Zip code.
- 3 7. Telephone number if given.
- 4 8. Birth year.
- 5 9. Occupation if given.

6 10. Primary election and general election voting history for the prior
7 four years and any other information regarding registered voters ~~which~~ THAT
8 the county recorder or city or town clerk maintains electronically and ~~which~~
9 THAT is public information.

10 D. The names on the precinct lists shall be in alphabetical order and
11 the precinct lists in their entirety, unless otherwise agreed, shall be
12 delivered to each county chairman and each state chairman at least quarterly
13 and within ten business days of the close of each quarter in the same format
14 and media as prescribed by subsection C of this section.

15 E. Precinct registers and other lists and information derived from
16 registration forms may be used only for purposes relating to a political or
17 political party activity, a political campaign or an election, for revising
18 election district boundaries or for any other purpose specifically authorized
19 by law and may not be used for a commercial purpose as defined in section
20 39-121.03. The sale of registers, lists and information derived from
21 registration forms to a candidate or a registered political committee for a
22 use specifically authorized by this subsection does not constitute use for a
23 commercial purpose. The county recorder FOR A COUNTY WITH FEWER THAN TWO
24 HUNDRED THOUSAND REGISTERED VOTERS, ~~on~~ AFTER a request for ~~an-authorized-use~~
25 PURPOSES RELATING TO A POLITICAL OR POLITICAL PARTY ACTIVITY, A POLITICAL
26 CAMPAIGN OR AN ELECTION and within thirty days from receipt of the request,
27 shall prepare additional copies of ~~an~~ THE official COUNTYWIDE precinct list
28 and furnish them to ~~any~~ THE person requesting them on payment of a fee equal
29 to five cents for each name appearing on the register for a printed list. ~~and~~
30 ~~ten cents for each name for an electronic data medium, plus the cost of the~~
31 ~~blank computer disk or computer software if furnished by the recorder, for~~
32 ~~each copy so furnished.~~ THE COUNTY RECORDER FOR A COUNTY WITH TWO HUNDRED
33 THOUSAND OR MORE REGISTERED VOTERS, AFTER A REQUEST FOR PURPOSES RELATING TO
34 A POLITICAL OR POLITICAL PARTY ACTIVITY, A POLITICAL CAMPAIGN OR AN ELECTION
35 AND WITHIN THIRTY DAYS FROM RECEIPT OF THE REQUEST, SHALL PREPARE THE
36 OFFICIAL COUNTYWIDE PRECINCT REGISTER IN ELECTRONIC MEDIA AND FURNISH IT TO
37 THE PERSON REQUESTING IT ON PAYMENT OF A FEE OF NO MORE THAN ONE HUNDRED
38 FIFTY DOLLARS. PRODUCTION OF THE ENTIRE COUNTYWIDE PRECINCT REGISTER BY THE
39 COUNTY RECORDER AS A SINGLE DOCUMENT OR SINGLE FILE FOR ONE OF THE DATES
40 PRESCRIBED BY SUBSECTION G OF THIS SECTION CONSTITUTES COMPLIANCE WITH THIS
41 SUBSECTION.

42 F. Any person in possession of a precinct register or list, in whole
43 or part, or any reproduction of a precinct register or list, shall not permit
44 the register or list to be used, bought, sold or otherwise transferred for
45 any purpose except for uses otherwise authorized by this section. A person

1 in possession of information derived from voter registration forms or
2 precinct registers shall not distribute, post or otherwise provide access to
3 any portion of that information through the internet except as authorized by
4 subsection J of this section. Nothing in this section shall preclude public
5 inspection of voter registration records at the office of the county recorder
6 for the purposes prescribed by this section, except that the month and day of
7 birth date, the social security number or any portion thereof, the driver
8 license number or nonoperating identification license number, the unique
9 identifying number prescribed by this section, the Indian census number, the
10 father's name or mother's maiden name, the state or country of birth and the
11 records containing a voter's signature shall not be accessible or reproduced
12 by any person other than the voter, by an authorized government official in
13 the scope of the official's duties, for signature verification on petitions
14 and candidate filings, for election purposes and for news gathering purposes
15 by a person engaged in newspaper, radio, television or reportorial work, or
16 connected with or employed by a newspaper, radio or television station or
17 pursuant to a court order. A person who violates this subsection or
18 subsection E of this section is guilty of a class 6 felony.

19 G. The county recorder shall count the registered voters by political
20 party by precinct, legislative district and congressional district as
21 follows:

22 1. In even numbered years, the county recorder shall count all persons
23 who are registered to vote as of:

- 24 (a) January 1.
- 25 (b) March 1.

26 (c) The last day on which a person may register to be eligible to vote
27 in the next primary election.

28 (d) The last day on which a person may register to be eligible to vote
29 in the next general election.

30 (e) The last day on which a person may register to be eligible to vote
31 in the next presidential preference election.

32 2. In odd numbered years, the county recorder shall count all persons
33 who are registered to vote as of:

- 34 (a) January 1.
- 35 (b) April 1.
- 36 (c) July 1.
- 37 (d) October 1.

38 H. The county recorder shall report the totals to the secretary of
39 state as soon as is practicable following each of the dates prescribed in
40 subsection G of this section. The report shall include completed
41 registration forms returned in accordance with section 16-134, subsection B.
42 The county recorder shall also provide the report in a uniform electronic
43 computer media format that shall be agreed ~~upon~~ ON between the secretary of
44 state and all county recorders. The secretary of state shall then prepare a

1 summary report for the state and shall maintain that report as a permanent
2 record.

3 I. The county recorder and the secretary of state shall protect access
4 to voter registration information in an auditable format and method specified
5 in the secretary of state's electronic voting system instructions and
6 procedures manual that is adopted pursuant to section 16-452.

7 J. The secretary of state shall develop and administer a statewide
8 database of voter registration information that contains the name and
9 registration information of every registered voter in this state. The
10 database shall include an identifier that is unique for each individual
11 voter. The database shall provide for access by voter registration officials
12 and shall allow expedited entry of voter registration information after it is
13 received by county recorders. As a part of the statewide voter registration
14 database, county recorders shall provide for the electronic transmittal of
15 that information to the secretary of state on a daily basis. The secretary
16 of state shall provide for maintenance of the database, including provisions
17 regarding removal of ineligible voters that are consistent with the national
18 voter registration act of 1993 (42 United States Code section 394) and the
19 help America vote act of 2002 (P.L. 107-252), provisions regarding removal of
20 duplicate registrations and provisions to ensure that eligible voters are not
21 removed in error.

22 K. For requests for the use of registration forms and access to
23 information as provided in subsections E and F of this section, the county
24 recorder shall receive and respond to requests regarding federal, state and
25 county elections.